

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR17-434

AN ORDINANCE TO REQUIRE THE RECYCLING OF WATER AT CERTAIN COMMERCIAL CARWASH FACILITIES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to adopt an ordinance to require the recycling of water at certain carwash facilities; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

**Section 1.** That Chapter 8.16 of the Stockbridge Municipal Code is hereby amended by adding a new Section 8.16.090 attached hereto as Exhibit A.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

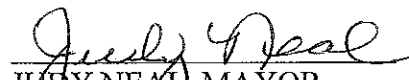
**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** Penalties in effect for violations of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

**Section 6.** The effective date of this Ordinance shall be May 8, 2017.

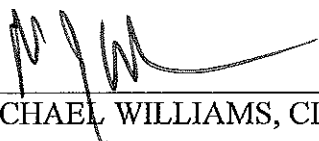
SO ORDAINED this 8<sup>th</sup> day of May, 2017.

ATTEST:

  
JUDY NEAL, MAYOR

 (SEAL)  
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:

  
MICHAEL WILLIAMS, CITY ATTORNEY

Date Presented to Mayor: 05.11.17

Date Received from Mayor: 05.12.17

## **EXHIBIT "A"**

### **Section 8.16.090**

#### **A. General Provisions**

The purpose of this ordinance is to reduce water consumption from commercial car wash facilities by requiring all new conveyor car washes to install operational recycled water systems.

#### **B. Applicability**

1. This ordinance applies to all new conveyor car washes permitted and constructed after January 1, 2011, regardless of the water source.
2. The provisions of this ordinance do not apply to conveyor commercial car washes that were permitted or constructed before January 1, 2011.
3. The provisions of this ordinance do not apply to self-service car washes or in-bay car washes.

#### **C. Definitions**

The following words and phrases, whenever used in this ordinance, have the meaning defined in this section:

1. "In-bay automatic car wash" means a commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel.
2. "Conveyor car wash" means a commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.
3. "Recycled water system" means a water system that captures and reuses water previously used in wash or rinse cycles.
4. "Self-service car wash" means a commercial car wash where the customers wash their cars themselves with spray wands and brushes.

#### **D. Commercial Car Wash Water Recycling Requirement**

All new commercial conveyor car washes, permitted and constructed after January 1, 2011 must install operational recycled water systems. A minimum of 50% of water utilized will be recycled.